

# Development Application Report No. D79/17



**Subject:** 31 Torrington Road, Maroubra (DA/281/2017)

**Folder No:** DA/281/2017

**Author:** Anthony Betros, Planning Consultant - ABC Planning Pty Ltd

**Proposal:** Construction of double garage and two storey secondary dwelling fronting The Corso

**Ward:** Central Ward

**Applicant:** Santos Architecture

**Owner:** Mr T Premetis & Mrs H Premetis

**Summary Recommendation:** Approval



## Development Application Executive summary report

The application is referred to the Planning Committee for determination at the request of Councillors Andrews, D'Souza, Stavrinou and Seng.

## Proposal

The proposal seeks to demolish the existing single car garage on the rear boundary and erect a part one, part two storey structure including double garage on the eastern side, pedestrian entry off The Corso to the ground level living area (which contains kitchenette and bathroom) of the secondary dwelling with internal stair access up to the 1<sup>st</sup> floor bedroom and retreat.

A doorway is also provided on the internal/northern side of the secondary dwelling which provides access to the rear yard, drying area and main dwelling beyond. A new rainwater tank is also proposed in the rear yard.

The ground floor contains a window looking north to the rear yard, whilst the 1<sup>st</sup> floor contains windows overlooking the street and the rear yard.

Amended plans were received on 28 July 2017 with the amended design reducing the footprint of the garage to align with the northern setback of the adjoining structure to the west. The internal floor area was reduced to 59.7 sqm. The overall height of the structure was reduced and the pitch of the roof form was increased to minimize bulk, scale and visual privacy impacts. The north-facing 1<sup>st</sup> floor windows have external louvres to avoid sideways or diagonal overlooking impacts to the rear yards and living and bedroom areas of properties either side.

## Site

The site is located on the southern side of Torrington Rd and has a secondary frontage to The Corso. The Corso is a street and contains single dwellings on the southern side whilst the northern (subject) side includes garages and secondary dwelling structures.

The site contains a 2-storey detached dwelling and has a garage on its rear frontage.



Figure 1: Existing garage on the subject site (left) and neighbouring garage (right)

The property has street frontages of 13.41m and a site depth of 40.235m with a site area of 539.5sqm.



The dwelling is not heritage listed and is not in a conservation area.

The subject property is adjoined on both sides by 2-storey dwelling houses with both having garages along the rear boundary to The Corso. Dwelling houses are located to the north across Torrington Road and to the south across The Corso. Garage and outbuilding structures along the northern (subject side of The Corso) are single storey in scale whilst 2 x 2-storey examples are sited 200m to the east at 77 Torrington Road and 81 Torrington Rd.



**Figure 2: Garage structure at the rear of the western adjoining property**



**Figure 3: Garage with 2-storey dwelling component at the rear of 81 Torrington Road**

### **Submissions**

The owners of adjoining and likely affected neighbouring properties were notified of the proposed development in accordance with the Randwick Comprehensive DCP 2013. The following submissions were received as a result of the notification process:

- 29 Torrington Road, Maroubra
- 33 Torrington Road, Maroubra

Issues	Comments
Height	<p>The proposal has been amended to comply with the 6m maximum (to the pitch) height for an outbuilding and the 4.5m maximum wall height. The roof form has also been amended to reduce the visual bulk and scale of the secondary dwelling.</p> <p>It is considered that the proposed height of the development is satisfactory.</p>
Privacy	<p>Amendments to the proposal have recessed the secondary dwelling to align with the adjoining garage to the west. The upper level north-facing openings include privacy louvres to minimise privacy impacts to the western neighbour. The upper level is also associated with a passive use, being a bedroom. The living room is located on the ground floor, further minimising any overlooking impacts. It is therefore considered that the proposal is satisfactory in regard to privacy impacts.</p>
Noise	<p>It is considered that the residential nature of the secondary dwelling will not generate any unreasonable acoustic impacts upon neighbouring properties.</p>
Common wall of garage between subject site and 31 Torrington Road	<p>A structural report has been provided which confirms that the proposed new wall of the garage will be independent of the existing neighbouring wall on the boundary.</p>
Access to neighbouring garages	<p>A condition of consent has been imposed requiring a <i>Construction Site Management Plan</i> to be implemented to ensure access to neighbouring properties is not affected.</p>
Drainage	<p>A condition of consent has been imposed requiring details of the proposed stormwater drainage system to be included in the construction certificate for development.</p> <p>Conditions of consent also require a grated drain to be constructed within the site.</p>

### Key Issues

#### State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposal complies with Division 2 (Secondary Dwellings) of the ARHSEPP 2009. The subject site is located in the R2 Low Density Residential zone, of which the proposed secondary dwelling is permissible. The amended plans have reduced the total GFA of the secondary dwelling to 59.7sqm, which is compliant with the 60sqm maximum. The proposal also complies with the maximum floor space ratio for

dwelling houses having a floor space ratio of 0.63:1.

### **1. Randwick LEP 2012**

The subject site is zoned R2 Low Density Residential under Randwick LEP 2012. The proposal development is classified as a new garage and secondary dwelling and is permissible in the zone. The zoning objectives are addressed as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.*
- *To protect the amenity of residents.*
- *To encourage housing affordability.*
- *To enable small-scale business uses in existing commercial buildings.*

The proposed new garage and secondary dwelling provides for the housing needs of the community within a low density residential environment.

The proposal is generally consistent with the surrounding low density residential development. The reduced compliant height and GFA of the secondary dwelling has helped to minimize amenity impacts on neighbouring properties including privacy impacts.

### **Relationship to City Plan**

The relationship with the City Plan is as follows:

Outcome 4: Excellence in urban design and development.

Direction 4a: Improved design and sustainability across all development.

### **Financial impact statement**

There is no direct financial impact for this matter.

### **Conclusion**

The proposed development is permissible in the R2 Low Density Residential zone. The proposal is under the LEP height and FSR limit for the subject site. The proposal has been amended to comply with the height limit and FSR limit for secondary dwellings.

Relevant controls and objectives within Randwick DCP 2013 are satisfied and environmental impacts have been assessed as being acceptable, subject to proposed conditions of consent. The scale and design of the amended proposal is considered to be suitable for the location and is compatible with the desired future character of the locality, within the foreshore area. The proposed development satisfies the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant legislation, State policies and local planning controls. The application is therefore recommended for approval subject to conditions of consent.

### **Recommendation**

That Council, as the consent authority, grants development consent under Sections 80 and 80A of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 281/2017 for proposed double garage and adjoining 2 storey studio development, at No. 31 Torrington Road, Maroubra, subject to the

following non standard conditions and the standard conditions contained in the development application compliance report attached to this report:

**Non standard conditions**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. A *Construction Management Plan* shall be provided to allow for the following:
    - Unobstructed driveway access to be maintained during and post construction to the neighbouring garages/driveways either side of the subject site.
    - The structural integrity of the adjoining garages is to be maintained during demolition and construction. Structural details are to be in accordance with the structural statement prepared by E.E.C dated 27th July 2017.
  - b. The new driveway crossing shall be designed to avoid diversion of overland flow of stormwater to the property to the east.
  - c. A minimum 150mm wide grated drain is to be constructed, within the site, along the garage door entrance in The Corso with the grated drain pipework discharging to the Torrington Road frontage. Details are to be shown on the plans submitted for the Construction Certificate and be approved by the Certifying Authority.

**Attachment/s:**

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| <ol style="list-style-type: none"><li>1. DA Compliance Report - 31 Torrington Road,<br/>MAROUBRA</li></ol> | Included under separate<br>cover |
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